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## MISSION OF THE TENNESSEE DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS:

Ensuring equal access to  
education and promoting  
educational excellence by  
providing training and  
technical assistance to Local  
and State Educational  
Agencies throughout the State  
of Tennessee and through the  
vigorous enforcement of the  
civil rights statutes applicable  
to educational institutions  
within the jurisdiction of the  
Tennessee Department of  
Education.

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## TENNESSEE DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

### WHAT IS TITLE VI?



*No person in the United States shall, on the  
ground of race, color, or national origin,  
be excluded from participation in, be denied  
the benefits of, or be subjected to  
discrimination under any program or  
activity receiving Federal financial  
assistance.*

*Title VI of the Civil Rights Act of 1964*

## *Title VI of the Civil Rights Act of 1964*

Title VI only covers purposeful or intentional discrimination. To prove a violation, a complainant must show intent to discriminate or that an action by the accused has had a disproportional or disparate impact on a Title VI covered class.

The disparate impact theory requires a showing of the disproportional impact as well as some other tangible evidence in order to prove intent. Once shown, the accused party must show that the action taken was based on a non-discriminatory educational necessity or an otherwise related legitimate purpose.

Discrimination in employment is limitedly covered under Title VI. Title VI covers employment discrimination only if the primary purpose of the federal funds is employment, unless the primary beneficiaries (the students) were impacted by the discriminatory employment practices. Therefore, it would be necessary to show the impact on the students, unless obvious, before this office would be able to investigate and enforce a complaint related to Title VI employment.

### *Who Must Comply with Title VI?*

- Students
- Teachers or other faculty
- Parents
- Coaches
- School Administrators
- Counselors
- Cafeteria employees
- Contract workers
- Bus drivers

**REMEMBER!!** Any person who behaves in violation of Title VI so that a protected class is unable to enjoy the programs and/or activities of the Local Education Agency could violate the statute on behalf of the school system.

### *Activities Covered under Title VI*

- School Athletics programs
- Special Education programs
- School Transfers
- Discipline
- Student Assignment
- Field Trips
- Student Organizations
- Classroom Instruction
- Ability Grouping
- Seat Assignment
- Water breaks
- Hall passes

And other daily activities associated with public education

### *Coordinator Required*

Title VI requires Local Education Agencies to have a person designated to coordinate efforts to comply with and address Title VI issues. Check your district's policy and/or procedures to determine who is the Title VI coordinator.

*Title VI of the Civil Rights Act of 1964 does not apply only to minorities. It covers all discrimination based on a person's race, color or national origin whatever it may be.*